

# In the Court of Appeals of the State of Alaska

**Saye Gatei,**

Appellant,

v.

**Municipality of Anchorage,**

Appellee.

Court of Appeals No. **A-13455**

## **Order**

Date of Order: **November 4, 2019**

Trial Court Case No. **3AN-17-09915CR**

The Appellant's opening brief was due on October 7, 2019. After the Appellant's attorney, Igor I. Herby, failed to file either the brief or an appropriate request for an extension of time, this Court ordered Mr. Herby to show cause why a fine of \$50.00 should not be imposed under Appellate Rule 510(c).

Mr. Herby has filed his response to the order to show cause. He has also filed a request to extend the due date for the Appellant's opening brief. After reviewing Mr. Herby's response to the order to show cause, the Court concludes that a sanction will be imposed in this case.

Accordingly, **IT IS ORDERED**

1. Mr. Herby shall be sanctioned in this case in the amount of \$50.00 with \$50.00 suspended for a period of twelve months. The suspension is conditioned on Mr. Herby not having any further violations of court rules during that twelve months.

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2. The motion to extend time to file the Appellant's opening brief is  
**GRANTED.** The brief is now due on or before Monday, December 2, 2019.

Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts



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Beth A. Pechota, Deputy Clerk

cc: Court of Appeals Judges  
Central Staff

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